

MEMORANDUM FOR: General Counsel

SUBJECT : Comments on H. R. 8748, a Bill to Revise, Codify and Enact into Law Title 5 of the U. S. Code, Entitled "Government Organization and Personnel"

The subject bill and the Report from the Committee on the Judiciary, House of Representatives, relating to this bill have been reviewed by a member of this Office. As a result of this and in view of legislation enacted after 1 April 1959, the cut-off date stated in the Report accompanying the subject bill, this Office has comments or suggestions as follows:

a. Page 102, paragraph 5504(b)

The last sentence of this paragraph should be stricken out. This language has been deleted from current legislation by P. L. 86-122, approved 21 July 1959.

b. Page 127, paragraph 5921(a)

In order to broaden applicability of the paragraph to encompass agencies such as the CIA, a phrase is recommended in addition so that this paragraph will read as follows: (the recommended phrase is underscored)

"(a) Appropriations or funds available to the executive departments, independent establishments and Government corporations for pay of civilian employees stationed outside the several States and the District of Columbia or in Alaska, whose rates of basic pay are fixed by statute or whose rates of compensation are fixed by administrative action pursuant to law, are available for additional pay to these employees . . . etc."

c. Page 113, paragraph 5550
Page 130, paragraph 6103

Neither of these paragraphs state the provisions of law with respect to alternate days to be observed when a holiday falls on a Saturday or Sunday or a day in lieu of a Saturday or Sunday for employees whose workweek is other than Monday through Friday. It is therefore recommended that appropriate language be incorporated (preferably under paragraph 6103) which would state these provisions, especially in view of the recent P. L. 86-362, approved 22 September 1959.

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d. Page 148, paragraph 7901

This section on health service programs probably should be reviewed for possible revisions required by P. L. 86-382, approved 28 September 1959.

e. General comments

The admission of Alaska and Hawaii to statehood requires a careful review of phrases such as, "in the continental United States, its territories," "outside the several States and the District of Columbia and in Alaska," and combinations thereof as used in paragraphs pertaining to travel, transportation, allowances, as well as elsewhere. It is recommended that the entire bill be reviewed specifically to correct the wording of such phrases to avoid confusion.

E. R. SAUNDERS
Comptroller

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Comptroller

DATE: 2 September 1959

FROM : Records Management Officer

SUBJECT: Review of HR 8748, A Bill to Revise, Codify and Enact Into Law Title 5 of the U.S. Code, Entitled "Government Organization and Personnel"

1. Subject Bill HR 8748 has been reviewed.
2. It is suggested that we request Section 5921(a) (page 127) be amended to specifically cover allowances for Agency employees. The following clause is suggested as an amendment to Section 5921a, line 5 after the word statute: "or whose rates of compensation are fixed by administrative action pursuant to law."
3. The provisions in the recent Government Employees Training Act are incorporated in HR 8748, beginning on page 54. Would it be appropriate at this time for the Agency to request an exemption from the training provisions?
4. The positions listed under "Executive Pay Scales", Sections 5301-5310, pages 85-91, do not include that of the Executive Secretary, National Security Council. Does Section 5311, page 91 apply to this position?
5. The following tabulation listing specific references to the Agency and National Security Council is furnished for information only:

<u>Subject</u>	<u>Page</u>	<u>Section</u>
Exemption of Agency review of operations	3	302
Exemption of listing Agency employees in Official Register	20	1307
Exemption, Performance Rating	64	4301
Exemption, Classification	71	5102
Pay of DCI	86	5304
Pay of DDCI	87	5305
NSC Appointment of Supergrades	42	3324
NSC Appointment of Supergrades	80	5108

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